

DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL
RECEIVED

APR 10 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Administration of the)
North American Numbering Plan,)
Carrier Identification Codes (CICs))

CC Docket No. 92-237

COMMENTS OF AT&T CORP.

Pursuant to the Commission's Public Notice,
DA 98-591, released March 26, 1998, AT&T Corp. ("AT&T")
submits these comments on the March 17, 1998 and
March 23, 1998 *Ex Parte* filings of MCI Communications
Corporation ("MCI") and VarTec Telecom, Inc. ("VarTec"),
respectively, in connection with the conversion from
three-digit to four-digit Carrier Identification Codes
("CICs") required by the Commission's CIC Reconsideration
Order in this docket.¹

In the CIC Code Reconsideration Order (paras. 4,
20, 25-27), the Commission determined that the transition
for conversion from three-digit Feature Group D CICs to
four-digit CICs will end for interexchange carriers ("IXCs")

¹ In the Matter of Administration of the North American
Numbering Plan Carrier Identification Codes (CICs),
CC Docket No. 92-237, Order on Reconsideration, Order on
Application for Review, and Second Further Notice of
Proposed Rulemaking, FCC 97-386, released October 22,
1997 ("CIC Reconsideration Order"), *pet. for review
pending sub nom. VarTec Telecom, Inc. v. FCC*, No. 97-1706
(D.C. Cir.).

No. of Copies rec'd 011
LSIABODE

on June 30, 1998.² In reaching this determination, the Commission found that shortening the transition period during which both the three-digit and four-digit CICs and their respective five-digit and seven-digit carrier access code ("CAC") dialing arrangements would be recognized will serve the overall procompetitive purposes of the 1996 Telecommunications Act.

In consideration of the needs of IXC's and others to educate their customers about the new dialing arrangement, the Commission created a two-step transition, requiring local exchange carriers ("LECs") with equal access capability to recognize four-digit CICs by January 1, 1998 and IXC's by June 30, 1998, after which time only CICs four-digits in length would be recognized (para. 4).

The CIC Reconsideration Order (para. 26) also requires LECs to offer "a standard intercept message beginning on or before June 30, 1998, explaining that a dialing pattern change has occurred and instructing the caller to contact its IXC for further information" (emphasis added). The Commission further directed that "LECs must consult with IXC's and reach agreement on the content of the

² The three-digit CIC is part of a five-digit carrier access code (10XXX), whereas the four-digit CIC is part of a seven-digit carrier access code (101XXXX). During the transition period, both three-digit and four-digit CICs could be utilized. Once the transition period is over, all customers would be required to use the four-digit CIC (thus, AT&T's carrier access code would then become 1010288).

message and on the period of time during which the message will be provided." *Id.*

MCI (at 3-5) contends that there is an "urgent need" for Commission action to extend the permissive dialing period during which both three-digit and four-digit codes may be used. The urgency of and the basis for this request quickly fade once MCI's motives are examined.³ The "first obstacle" MCI cites is that the Network Interconnection and Interoperability Forum ("NTIF") adopted a standard intercept message which apparently is not to MCI's liking.⁴ MCI's objection, however, is solely to the first sentence of the message, which is an absolutely routine, and true, statement that "Your call cannot be completed as dialed," and to the use of Special Information Tones ("SITs"). Both this phrase

³ MCI offers the 10321 dial around service. That service is one of MCI's most heavily advertised telecommunications offerings. Clearly, MCI is primarily concerned with maintaining its 10321 marketing pitch rather than have to tell consumers to dial 1010321.

⁴ The NTIF adopted the following intercept message:

"Your call cannot be completed as dialed. If you dialed a 5 digit code, it has changed. Please redial adding a one and a zero before the 5 digit code, or for assistance contact the carrier you are trying to use."

and use of SITs are standard features of recorded announcements for area code and other numbering changes requiring the caller to redial. While characterizing this portion of the message as "unnecessary and wasteful," MCI admits that its real concern is that this language and the SITs may discourage the caller from placing the call on a dial around basis. Apart from being completely speculative and unsupported, the short answer to this claim is that the message is truthful and precise, and meets the Commission's directive for industry consensus. MCI's objection thus provides no basis for the FCC to change the transition period.⁵

MCI's second objection (at 5-8), that the LECs may not be able to flash convert to four-digit CIC recognition only, likewise provides no basis for extending the permissive dialing period. Under the schedule adopted by the Commission, LECs must convert their switches by January 1, 1998 and IXC's must comply by no later than

⁵ VarTec, which has petitioned for review of the CIC Reconsideration Order, complains that three LECs (GTE, Sprint Local, and SNET) have refused to use the standard intercept message and that the use of SITs will discourage callers from using dial around carriers. However, the attachments to VarTec's filing do not reveal any conclusive information about GTE and show that Sprint will use a similar message. On the other hand, it does appear that SNET is flouting the Commission's authority. Rather than condone SNET's actions and encourage others to disregard the Commission's edicts in the future by extending the end of the permissive dialing period, the Commission should quickly direct SNET to bring itself into compliance.

June 30, 1998. As AT&T showed in its December 29, 1997 Opposition to BellSouth's Clarification Petition, to the extent that a LEC could not flash-cut its network on June 30, 1998, it had to begin its phased transition in sufficient time to complete the conversion by the June 30, 1998 end date. MCI now contends (at 7) that this is "unacceptable," claiming that dialing parity cannot be achieved if the LECs cannot flashcut their networks. This claim is simply wrong. In any given LEC switch (or territory if a LEC flashcuts its network), all IXCs will be in exactly the same position with respect to carrier access codes.

MCI's third ground for objection (at 8-10), namely, that the Commission has granted a handful of extremely small LECs (e.g., Hager Telecom, Inc.) a waiver, does not detract from the need to end the transition. In almost every case where the Commission establishes deadlines requiring certain capabilities in LEC end office switches, some small LEC waivers are inevitable. Certainly, the fact that a few small LECs have been granted some additional period of time to upgrade their switches cannot possibly be a sound basis for delay on a national scale. If MCI's rationale were adopted, the Commission could never establish conversion deadlines except on timelines driven by the more limited technical capabilities of the smallest LECs with lowest numbers of lines.

The need to adhere to the June 30, 1998 conversion date is compelling. The Commission decided to end the transition as soon as practicable to lessen any negative effects of the disparity that may arise during the transition.⁶ The Commission's ultimate solution is to put all carriers at parity by requiring identical dialing patterns.⁷ America One's pending petition for reconsideration underscores that the current dialing disparity has an adverse impact on new "dial around" providers that rely on four-digit codes. While AT&T believes that it is unnecessary and inadvisable to again reconsider the June 30, 1998 date as America One requests, contrary to MCI's request, there is certainly no basis to extend it.

⁶ In the Matter of Administration of the North American Numbering Plan Carrier Identification Codes (CICs), CC Docket No. 92-237, Second Report and Order, FCC 97-125, released April 11, 1997, para. 32 ("Second Report").

⁷ See also Pennsylvania Public Utility Commission Petition for Expedited Waiver of 47 CFR Section 52.19 for Area Code 412 Relief, CC Docket 96-98, Order, DA 97-675, released April 4, 1997, para. 15 (recognizing the inherent competitive advantage of dialing fewer digits), citing Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, Second Report and Order, FCC 96-333, 61 Fed. Reg. 47284, 47330 (1996).

- 7 -

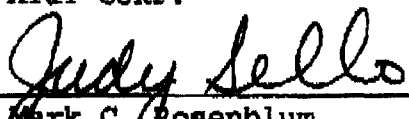
CONCLUSION

WHEREFORE, the Commission should deny MCI's request for Commission action and adhere to the June 30, 1998 mandatory IXC transition date for conversion to the four-digit CIC codes.

Respectfully submitted,

AT&T CORP.

By /s/


Mark C. Rosenblum
Roy E. Hoffinger
Judy Sello

Room 3245I1
295 North Maple Avenue
Basking Ridge, New Jersey 07920
(908) 221-8984

Its Attorneys

April 10, 1998

CERTIFICATE OF SERVICE

I, Judy Sello, do hereby certify that on this 10th day of April, 1998, a copy of the foregoing Comments of AT&T Corp. was served by U.S. first class mail, postage prepaid, to the parties listed below.

Jonathan B. Sallet
MCI Communications Corporation
1801 Pennsylvania Avenue, NW
Washington, DC 20006

James U. Troup
Robert H. Jackson
Arter & Hadden LLP
Suite 400K
1801 K Street, NW
Washington, DC 20006-1301
Attorneys for VarTec Telecom, Inc.


Judy Sello